

REMARKS/ARGUMENTS:

In the September 29, 2006 Office Action, claims 1-7, 9-12, 14-15 and 17-20 stand rejected in view of prior art, while claim 13 was indicated to contain allowable subject matter. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the March 30, 2006 Office Action, Applicants have amended claim 1 as indicated above, and added new claims 21-27. Applicants wish to thank the Examiner for the indication of allowable subject matter and the thorough examination of this application. Thus, claims 1-7, 9-15, and 17-27 are pending, with claims 1 and 21 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Interview Summary

On December 21, 2006, Applicants' representative conducted a personal interview with Examiner James Sells, who is in charge of the above-identified patent application. Applicants wish to thank Examiner Sells for the opportunity to discuss the above-identified patent application during the Interview of December 21, 2006.

During the interview, Applicants' representative explained the operation of the claimed invention, and particularly the operation of the bag transport mechanism. Furthermore, Applicants' representative discussed amending the claims to further indicate that bag transport mechanism captures a surface of the bag and maintains the inclination of the bag in the horizontal plane.

During the interview, Examiner Sells indicated that such an amendment would define the claimed invention over the Belt patent, and agreed to update the search to determine if the amended claims are patentable.

Rejections - 35 U.S.C. § 103

In paragraphs 1-2 of the Office Action, claims 1-5 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hunter et al. (GB 2,060,542, herein after referred to as the Hunter patent) in view of Gur et al. (US Patent No. 5,433,060, hereinafter referred to as the Gur patent) and further in view of Belt (US Patent No. 6,726,794).

In paragraph 3 of the Office Action, claims 6-7, 9-12 and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Hunter patent in view of the Gur patent and the Belt patent as applied to claim 1, and further in view of Yamazaki (JP 54-070192, hereinafter referred to as the Yamazaki publication).

In paragraph 4 of the Office Action, claims 14, 15, 19 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Hunter patent in view of the Gur patent, the Belt patent, and the Yamazaki publication as applied to claim 7, and further in view of Nakagawa et al. (US Patent Application Publication No. 2003/0000179 A1, hereinafter referred to as the Nakagawa publication).

In response, Applicants have amended independent claim 1 to recite that the bag transport mechanism is configured to grasp the bag and maintain the bag in the horizontal orientation while the bag is being transported toward said mounting mechanism. Support for this amendment can be found in paragraphs 0057 to 0064 and Figure 1. The Applicants respectfully submit that this structure is neither disclosed nor suggested by the Hunter patent, the Gur patent, the Belt patent, the Yamazaki publication, or any other prior art of record, alone or in combination.

The Hunter patent discloses a mounting system which simply places and mounts a plurality of bags on a horizontally advanced display card. However, the Hunter patent fails to disclose a packaging apparatus, a bag transport mechanism transporting a bag from the packaging apparatus, or a bag transport mechanism that is configured to grasp the bag and

maintain the bag in the horizontal orientation while the bag is being transported toward said mounting mechanism.

In addition, the Gur patent discloses an apparatus for securing bags to a flexible strip, but fails to disclose or suggest a bag transport mechanism that is configured to grasp the bag and maintain the bag in the horizontal orientation while the bag is being transported toward said mounting mechanism.

Moreover, the Belt patent discloses an apparatus for producing a merchandiser, the apparatus including a conveyor 18 with pockets 16 for transporting bags. However, the Belt patent fails to disclose or suggest a bag transport mechanism that is configured to grasp the bag and maintain the bag in the horizontal orientation while the bag is being transported toward said mounting mechanism.

Furthermore, the Yamazaki publication discloses a device for creating a continuous book of samples by adhering the samples to a carrier substrate. Here, the inclination of the sample is changed from straight to curved in the vertical plane while the sample is being transported (i.e., when the sample 1 is being lifted upward out of the magazine 2 and then folded by contact with the guide plate 6). Thus, the Yamazaki publication fails to disclose or suggest a bag transport mechanism that is configured to grasp the bag and maintain the bag in the horizontal orientation while the bag is being transported toward said mounting mechanism.

Therefore, Applicants respectfully request that the rejection of claim 1 be withdrawn in view of the above comments and amendments.

Moreover, Applicants believe that the dependent claims 2-7, 9-15, and 17-20 are also allowable over the prior art of record in that they depend from independent claim 1, and therefore are allowable for the reasons stated above. Also, the dependent claims 2-7, 9-15, and 17-20 are further allowable because they include additional limitations. Thus, Applicants believe that since the prior art of record does not disclose or suggest the invention as set forth

in independent claim 1, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claims.

Therefore, Applicants respectfully request that the rejection of the dependent claims be withdrawn in view of the above comments and amendments.

New Claims

The Applicants have also added new claims 21-27. Independent claim 21 is largely the same as independent claim 1, except that claim 21 recites that the bag transport mechanism is configured to grasp the bag and maintain the inclination of the bag in the horizontal plane while the bag is being transported toward the mounting mechanism. Support for this amendment can be found in paragraphs 0057 to 0064 and Figure 1. The two sets of dependent claims 22-24 and 25-27 are respectively dependent on independent claims 1 and 21. Each set of dependent claims recites that the bag transport mechanism is configured to grasp a surface of the bag and maintain the inclination of the bag in the horizontal plane while the bag is being transported toward the mounting mechanism, and that the bag transport mechanism comprises a chuck configured to grasp the bag or a plurality of grasping members configured to grasp corners of the bag. Support for these claims can be found in Fig. 1, Fig. 3, and Figs. 10(A) and Fig. 10(B), and the text associated therewith in the specification (e.g., paragraph 0100).

Applicants believe that these new claims are allowable for the same reasons stated above.

Allowable Subject Matter

In paragraph 5 of the Office Action, claim 13 was indicated to be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. Applicants wish to thank the Examiner for this indication of allowable subject matter and the thorough examination of this application. However, in view of the

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amendments to claim 1, the Applicant respectfully submits that dependent claim 13 is now allowable in its current form.

In view of the foregoing amendment and comments, Applicants respectfully assert that all pending claims are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,

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